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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 PHILIP MICHAEL FERNANDEZ III,

12 Petitioner,

13 v.

14 W. J. SULLIVAN, Warden,

15 Respondent.  
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Case No. EDCV 06-1054-GHK (JTL)

**J U D G M E N T**

17 In accordance with the Final Report and Recommendation of the United States  
18 Magistrate Judge filed concurrently herewith,

19 IT IS HEREBY ADJUDGED that the Petition for Writ of Habeas Corpus is conditionally  
20 granted. Respondent shall discharge Petitioner from all adverse consequences of his  
21 conviction on Count One in Riverside County Superior Court Case Number RIF110327, unless  
22 Petitioner is brought to retrial within ninety (90) days of the date the judgment herein becomes  
23 final, plus any additional delay authorized by state law.

24  
25 DATED: 6/12/09

  
26 GEORGE H. KING  
27 UNITED STATES DISTRICT JUDGE  
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